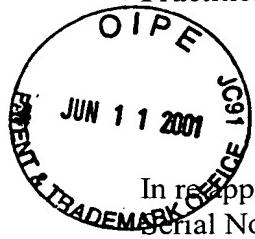


# 2  
04DO  
06-08-01

Practitioner's Docket No. U 013385-3

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In reapplication of: Rami VERBIN, et al.

Serial No.: 09/825,189

Group No.: --

Filed: April 3, 2001

Examiner: --

For: COMMUNICATION START-UP WITH VARIANT SPECTRAL DENSITY MASK

Assistant Commissioner for Patents

Washington, D.C. 20231

CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8(a)

I hereby certify that the attached correspondence comprising:

INFORMATION DISCLOSURE STATEMENT

FORM PTO-1449

SIX (4) REFERENCES

is being deposited with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to:

Assistant Commissioner for Patents  
Washington, D.C. 20231

on June 6, 2001

Julian H. Cohen  
(type or print name of person mailing paper)

A handwritten signature in black ink, appearing to read "Julian H. Cohen". It is placed over the typed name above it.

Signature of person mailing paper

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Rami VERBIN et al.

Serial No.: 09/825,189

Filed: April 3, 2001

For: COMMUNICATION START-UP WITH  
VARIANT SPECTRAL DENSITY MASK

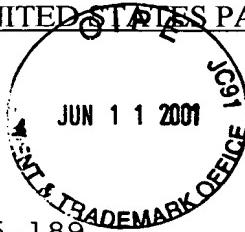
) Art Unit: N/A

) Examiner: N/A

) Washington, D.C.

) May 14, 2001

) Docket No.: 013385-3



INFORMATION DISCLOSURE STATEMENT [IDS]

Honorable Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

This Information Disclosure Statement is submitted in accordance with 37 C.F.R. 1.97, 1.98, and it is requested that the information set forth in this statement and in the listed documents be considered during the pendency of the above-identified application, and any other application relying on the filing date of the above-identified application or cross-referencing it as a related application.

1. This IDS should be considered, in accordance with 37 C.F.R. 1.97, as it is filed:

(Check one of the boxes A-D)

A. within three months of the filing date of the above-identified national application or within three months of the entry into the national stage of the above-identified international application.

B. before the mailing date of a first office action on the merits.

C. after (A) and (B) above, but before final rejection or allowance, and Applicants have made the necessary certification (box "i" below) or paid the necessary fee (box "ii" below).

(check one of the boxes "i" and "ii" below:)

i. Counsel certifies that, upon information and belief, each item of information listed herein was either (a) cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or (b) was not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of undersigned after making reasonable inquiry, was not known to any individual designated in 1.56(c) more than three months prior to the filing of this IDS.

ii. A check for the fee set forth in 1.17(p), presently believed to be \$230, is enclosed (check no. \_\_\_\_\_ ).

D. after (A), (B) and (C) above, but before payment of the issue fee: Applicant petitions under 37 C.F.R. 1.97(d) for the consideration of this IDS. A check for the fee set forth in §1.17(i), presently believed to be \$130 is enclosed (check no. \_\_\_\_\_ ). Counsel certifies that, upon information and belief, each item of information listed herein was either (i) cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the IDS; or (ii) was not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, was not known to any individual designated in 1.56(c) more than three months prior to the filing of this IDS.

2. In accordance with 37 C.F.R. 1.98, this IDS includes a list (e.g., form PTO-1449) of all patents, publications, or other information submitted for consideration by the office, either incorporated into this IDS or as an attachment hereto. A copy of each document listed is attached, except as explained below.

(check boxes A and/or B and fill in blanks, if appropriate.)

A. Document(s) \_\_\_\_\_ is (are) deemed substantially cumulative to document(s)

\_\_\_\_\_, and, in accordance with 1.98(c), only a copy of each of the latter documents is enclosed.

B. Certain documents were previously cited by or submitted to the Office in the following prior application(s), which are relied upon under 35 U.S.C. 120:

[insert serial numbers and filing dates of prior applications]

Applicant identifies these documents by attaching hereto copies of the forms PTO-892 and PTO-1449 from the files of the prior application(s) or a fresh PTO-1449 listing these documents, and request that they be considered and made of record in accordance with 1.98(d). Per 37 CFR 1.98(d), copies of these documents need not be filed in this application.

3. Document(s) \_\_\_\_\_ is(are) not in the English language. In accordance with 1.98(c), Applicant states:

An English translation of each document (or of the pertinent portions thereof), or a copy of each corresponding English-language patent or application, or English-language abstract (or claim) is enclosed.

A concise explanation of the relevance of document(s) \_\_\_\_\_ is found in the attached search report (see reply to Comment 68 in the preamble to the final rules; 1135 OG 13 at 20).

A concise explanation of the relevance of document(s) \_\_\_\_\_ is set forth as follows:

[Insert concise explanation of relevance]

- A concise explanation of the relevance of document(s) \_\_\_\_\_ can be found on page(s) \_\_\_\_\_ of the specification.
- A concise explanation of document(s) \_\_\_\_\_ can be found on the attached sheet.

4. No explanation of relevance is necessary for documents in the English language (see reply to Comments 67 and 68 in the preamble to the final rules; 1135 OG 13 at 20).

- 5. Other information being provided for the examiner's consideration follows:

A \_\_\_\_\_ dated \_\_\_\_\_, which issued during the prosecution of Applicant's Patent Application No. \_\_\_\_, which corresponds to the present application.

6. In accordance with 37 C.F.R. 1.97(g) and (h), the filing of this IDS should not be construed as a representation that a search has been made or that information cited is, or is considered to be, material to patentability as defined in §1.56 (b), or that any cited document listed or attached is (or constitutes) prior art. Unless otherwise indicated, the date of publication indicated for an item is taken from the face of the item and Applicant reserves the right to prove that the date of publication is in fact different.

#### **CROSS REFERENCE UNDER 37 C.F.R. §1.78 TO RELATED APPLICATIONS**

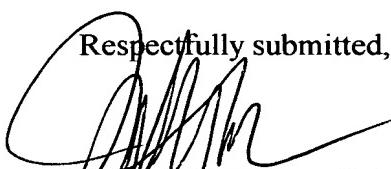
Pursuant to 37 C.F.R. § 1.78, Applicant notes that the above-identified patent application may be related to the following U.S. Patent Applications:

(1) U.S. Patent Application Serial No. 09/451,541, entitled ADSL TRANSMISSION IN THE PRESENCE OF LOW-FREQUENCY NETWORK SERVICES, filed December 1, 1999;

(2) U.S. Provisional Patent Application Serial No. 60/194,392, entitled STARTUP PROCEDURE FOR A PSD MASK WITH A DITCH, filed April 4, 2000;

(3) U.S. Provisional Patent Application Serial No. 60/259,965, entitled PROTOCOL AND TRANSCEIVER SUPPORTING COMMUNICATION WITH A NOTCHED PSD MASK, filed December 20, 2000.

Respectfully submitted,



JULIAN H. COHEN  
C/o LADAS & PARRY  
26 WEST 61ST STREET  
NEW YORK, NEW YORK 10023  
REG. NO.: 20,302 (212) 708-1887

|  |  |                                 |                             |
|--|--|---------------------------------|-----------------------------|
| FORM PTO-1449 (C-1b) <i>JUN 11 2001</i>                                      |  | ATTY DOCKET NO.<br>U 013385-3   | SERIAL NUMBER<br>09/825,189 |
| LIST OF PATENTS AND PUBLICATIONS<br>FOR APPLICANTS' INFORMATION<br>STATEMENT |  | APPLICANT<br>Rami VERBIN et al. |                             |
|  |  | FILING DATE<br>April 3, 2001    | GROUP ART UNIT<br>N/A       |

## U.S. PATENT DOCUMENTS

| Examiner's Initials |    | DOCUMENT NO. | DATE | NAME | CLASS | SUB | FILING DATE |
|---------------------|----|--------------|------|------|-------|-----|-------------|
|                     | AA |              |      |      |       |     |             |
|                     | AB |              |      |      |       |     |             |
|                     | AC |              |      |      |       |     |             |
|                     | AD |              |      |      |       |     |             |
|                     | AE |              |      |      |       |     |             |

## FOREIGN PATENT DOCUMENTS

|  |    | DOCUMENT NO. | DATE | COUNTRY | CLASS | SUB | TRANSLATION |
|--|----|--------------|------|---------|-------|-----|-------------|
|  | AF |              |      |         |       |     |             |
|  | AG |              |      |         |       |     |             |
|  | AH |              |      |         |       |     |             |

## OTHER ART (Including Author, Bills, Pertinent Pages, Etc.)

|    |   |
|----|---|
| AI | Recommendation G.992.1 (ex-G.dmt) of the International Telecommunication Union (ITU), Annex A & B, pp. 138-166, July 1999.  |
| AJ | Osnat Neulender, "A High-Performance ADSL Over POTS Mask Which is Compatible With FDD ADSL Over ISDN", 8 pages, February 28 – March 3, 2000, ORCKIT COMMUNICATIONS LTD., ETSI STC TM6, Montreux, Switzerland. |
| AK |   |
| AL |   |

EXAMINER: DATE CONSIDERED:

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.